

ORDINANCE NO: G-2014-29 Amended

INTRODUCED BY: Stephanie
Brinkerhoff-Riley; Dan McGinn; Missy
Mosby; Jonathan Weaver
COMMITTEE: Public Works

**AN ORDINANCE AMENDING CHAPTER 8.40
(REGISTRATION OF RESIDENTIAL RENTAL BUILDINGS)
OF THE EVANSVILLE MUNICIPAL CODE**

WHEREAS, the Evansville-Vanderburgh County Building Commission recommends that Chapter 8.40 of the Evansville Municipal Code be amended to revise certain registration deadlines and procedures pertaining to the process for obtaining a Residential Rental Building License; and

WHEREAS, the City Council of the City of Evansville ("City Council") wishes to adopt such recommendation by amending Chapter 8.40 of the Evansville Municipal Code.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Evansville, Indiana, that Chapter 8.40 of the Evansville Municipal Code is hereby amended as follows:

SECTION 1. AMENDMENT OF SECTION 8.40.003(A) OF THE EVANSVILLE MUNICIPAL CODE.

The definition of "City Clerk" shall be removed and the following definition shall be added following the definition of "Building" within Section 8.40.003(A):

"Building Commission" means the Evansville-Vanderburgh Building Commission.

The following definition shall be added following the definition of "Rent or rental" within Section 8.40.003(A):

"Rental Unit Community" means one or more parcels of contiguous real property upon which are located one or more structures containing rental units, if the combined total of all rental units in all of the structures is five or more rental units and the rental units are not occupied solely by the owner or the owner's family.

SECTION 2. AMENDMENT OF SECTION 8.40.004(B) OF THE EVANSVILLE MUNICIPAL CODE.

Subsection B of Section 8.40.004 shall be amended in its entirety to read as follows:

"(A) By May 10, 2015, and between the 60 day period of March 11th and May 10th each year thereafter (the "Registration Period"), each Owner of one or more residential

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Anna Widner
CITY CLERK

rental building(s) or Property Agent of such Owner must register with the Building Commission. Registration shall be effective from May 10th of the year of registration until May 9th of the subsequent year (the "Registration Fiscal Year"). The Building Commission shall charge a fee of Five Dollars (\$5.00) for each separate parcel of property registered and for each annual renewal of registration of each separate parcel of property, except one registration fee covers all the rental units in a Rental Unit Community. Fees shall not exceed One Hundred Dollars (\$100.00) per Owner per Registration Fiscal Year. As required by IC 36-1-20-3, all fees generated under this section shall be maintained in a special fund and as a separate line item dedicated solely to reimbursing the costs incurred by the Building Commission in connection with the administration of this Chapter 8.40. Any person becoming an Owner of one or more residential rental building(s) and not having a residential rental building registration must register within 30 calendar days from the date of becoming such an Owner, with such registration being valid until the expiration of the current Registration Fiscal Year. Any Owner of one or more residential rental building(s) who becomes an Owner of an additional residential rental building must amend the Owner's registration within 30 calendar days from obtaining ownership by adding the additional residential rental building(s) to the registration. The registration shall list:"

SECTION 3. AMENDMENT OF SECTION 8.40.004(B)(1) OF THE EVANSVILLE MUNICIPAL CODE.

Subsection B(1) of Section 8.40.004 shall be amended to remove the word "work" from the entire subsection.

SECTION 4. AMENDMENT OF SECTION 8.40.004(B)(4) OF THE EVANSVILLE MUNICIPAL CODE.

Subsection B(4) of Section 8.40.004 shall be amended to read as follows:

"(4) The number of dwelling units in each Residential rental building registered and the property tax code(s) associated with each Residential rental building."

SECTION 5. AMENDMENT OF SECTION 8.40.006 OF THE EVANSVILLE MUNICIPAL CODE

Section 8.40.006 shall be amended to read as follows:

"The Building Commission is authorized to adopt such forms as are deemed necessary to disclose the information required under EMC 8.40.004."

SECTION 6. AMENDMENT OF SECTION 8.40.007 OF THE EVANSVILLE MUNICIPAL CODE.

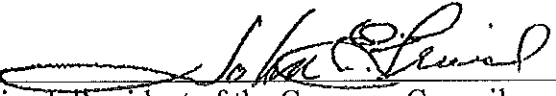
Section 8.40.007 shall be amended to read as follows:

"Any person who shall violate any provision of this chapter shall be subject to a civil penalty of One Hundred Dollars (\$100.00) for each violation. Each day that such violation continues shall constitute a separate violation. Any person who fraudulently files or falsely registers a residential rental building or who fraudulently or maliciously enters or alters information regarding a residential rental building shall be subject to a One Thousand Dollar (\$1,000.00) fine for each violation."

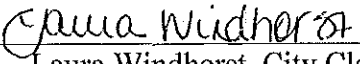
SECTION 7. EFFECTIVE DATE.

This Ordinance shall be in full force and effect after its passage by the City Council and signing by the Mayor.

PASSED BY the Common Council of the City of Evansville, Indiana, on the 17 day of November, 2014, and on said day signed by the President of the Common Council and attested by the City Clerk.

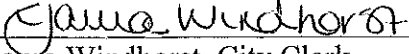


John Friend, President of the Common Council,
City of Evansville, Indiana

ATTEST: 

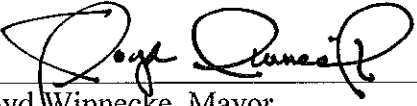
Laura Windhorst, City Clerk
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 19 day of November, 2014, at 3:30 o'clock p.m. for his consideration and action thereon.



Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this 21st day of November, 2014, at 1:30 o'clock p.m.



Lloyd Winnecke, Mayor
City of Evansville, Indiana

APPROVED AS TO FORM
BY TED C. ZIEMER, JR., CORPORATION COUNSEL